

TOWN OF TELLURIDE BALLOT ISSUES AND QUESTIONS

TOWN OF TELLURIDE BALLOT ISSUE 2A:

SHALL TOWN OF TELLURIDE SALES AND USE TAXES BE INCREASED \$850,000 IN 2009 AND BY WHATEVER AMOUNT IS GENERATED ANNUALLY THEREAFTER BY AN ADDITIONAL 0.75% SALES AND USE TAX; AND SHALL ALL THE REVENUES GENERATED BY SUCH SALES AND USE TAX INCREASE BE OBLIGATED TO BE DEPOSITED IN THE TOWN'S STREET AND ALLEY FUND TO FINANCE THE COSTS OF ACQUIRING, CONSTRUCTING, INSTALLING AND MAINTAINING THE TOWN'S STREETS AND ALLEYS AND ALL NECESSARY AND RELATED FACILITIES; AND SHALL THE EARNINGS FROM THE INVESTMENT OF SUCH TAX REVENUES BE COLLECTED, RETAINED AND SPENT AS A VOTER APPROVED REVENUE CHANGE UNDER ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION OR ANY OTHER LAW?

TOWN OF TELLURIDE BALLOT ISSUE 2B:

SHALL TOWN OF TELLURIDE DEBT BE INCREASED \$12,000,000, WITH A REPAYMENT COST OF NOT MORE THAN \$23,625,000, BY ISSUANCE OF LIMITED TAX BONDS FOR THE PURPOSE OF RECONSTRUCTING THE ROAD KNOWN AS THE "WEST SPUR", SUCH BONDS TO BE PAYABLE FROM REVENUES DEPOSITED INTO A NEW TOWN FUND TO BE KNOWN AS THE "STREET AND ALLEY FUND" FROM THE PROPERTY TAX INCREASE REVENUES AUTHORIZED HEREIN AND ANY SALES TAX INCREASE REVENUES IF AUTHORIZED SEPARATELY FOR DEPOSIT IN SUCH FUND; SUCH BONDS TO BE SOLD IN ONE SERIES OR MORE, FOR A PRICE ABOVE OR BELOW THE PRINCIPAL AMOUNT OF SUCH SERIES, ON TERMS AND CONDITIONS, AND WITH SUCH MATURITIES AS PERMITTED BY LAW AND AS THE TOWN MAY DETERMINE, INCLUDING PROVISIONS FOR REDEMPTION OF THE BONDS PRIOR TO MATURITY WITH OR WITHOUT PAYMENT OF A PREMIUM NOT TO EXCEED THREE PERCENT; AND SHALL THE TOWN BE AUTHORIZED TO REFUND THE DEBT AUTHORIZED IN THIS QUESTION, PROVIDED THAT AFTER THE ISSUANCE OF SUCH REFUNDING DEBT, THE TOTAL OUTSTANDING PRINCIPAL AMOUNT OF ALL DEBT ISSUED PURSUANT TO THIS QUESTION DOES NOT EXCEED THE MAXIMUM PRINCIPAL AMOUNT SET FORTH ABOVE, AND PROVIDED FURTHER THAT ALL DEBT ISSUED BY THE TOWN PURSUANT TO THIS QUESTION IS ISSUED ON TERMS THAT DO NOT EXCEED THE REPAYMENT COSTS AUTHORIZED IN THIS QUESTION; AND SHALL TOWN OF TELLURIDE PROPERTY TAXES BE

INCREASED \$575,000 IN 2009 AND BY WHATEVER AMOUNT IS GENERATED ANNUALLY THEREAFTER BY A TWO MILL PROPERTY TAX INCREASE TO BE LEVIED ONLY WHILE SUCH DEBT IS OUTSTANDING; AND SHALL ALL THE REVENUES GENERATED BY SUCH PROPERTY TAX INCREASE BE OBLIGATED TO BE DEPOSITED IN THE TOWN'S STREET AND ALLEY FUND TO PAY THE PRINCIPAL, INTEREST AND PREMIUMS, IF ANY, ON SUCH DEBT AND FINANCE THE COSTS OF ACQUIRING, CONSTRUCTING, INSTALLING AND MAINTAINING THE TOWN'S STREETS AND ALLEYS AND ALL NECESSARY AND RELATED FACILITIES; AND SHALL THE EARNINGS FROM THE INVESTMENT OF SUCH BOND AND TAX REVENUES BE COLLECTED, RETAINED AND SPENT AS A VOTER APPROVED REVENUE CHANGE UNDER ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION OR ANY OTHER LAW?

TOWN OF TELLURIDE
QUESTION 200:

Shall the following Ordinance be adopted?

A CITIZEN-INITIATED ORDINANCE AUTHORIZING THE TOWN OF TELLURIDE TO SELL, TRANSFER AND CONVEY CERTAIN LAND IT OWNS TO THE TELLURIDE HOSPITAL DISTRICT.

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF TELLURIDE:

Whereas, the Telluride Hospital District ("District") is a duly established Colorado special district formed in accordance with applicable Colorado Law; and

Whereas, the District generally covers a geographic area consisting of the Towns of Telluride and Mountain Village as well as those portions of San Miguel County extending from Lizard Head Pass to the south, Dallas Divide to the north, and Placerville to the west.

Whereas, the District provides critical, high quality patient health care services and facilities to residents and guests living in or visiting within the District regardless of their ability to pay, with special attention given to family and preventative medicine, emergency and orthopedic care, high altitude medicine, sports medicine as well as the provision and operation of facilities enabling CT scans, ultrasound and laboratory services; and

Whereas, the District operates the Telluride Medical Center on land and in a building that it is subleasing through Town of Telluride from the Idarado Mining Company; and

Whereas, the District has determined that the long term needs of its patients necessitate substantial infrastructure upgrades to its physical facilities to allow

the District to serve the continually increasing demands on its facilities and services generated by consistently expanding regional population growth and also to enable the District to take advantage of ever increasing advances in medical technology, which expansions and advances are restricted because of current space and site constraints; and

Whereas, the District seeks to acquire land upon which the District or an affiliated or related entity will design, develop, construct, use and operate certain structures, buildings and facilities, including, without limitation, parking in connection with an expanded and relocated Telluride Medical Center (“Relocated Telluride Medical Center”) which will enable the District to maximize its ability to offer regional health care services and facilities, which the District is charged with providing; and

Whereas, the District deems it prudent to own the land and improvements upon which it will undertake the construction of the Relocated Telluride Medical Center; and

Whereas, the District has undertaken a thorough analysis of potential sites within the boundaries of the District that would be of a suitable size and location to accommodate the operational and logistical needs of the Relocated Telluride Medical Center; and

Whereas, the District has identified certain property (“Acquisition Property”) owned by the Town of Telluride which the District has determined would be a preferred site, in terms of size and location, to develop, construct and operate the Relocated Telluride Medical Center; and

Whereas, the Acquisition Property consists of two adjoining tracts, namely:

A parcel of land generally consisting of a portion of the South 110’ of Tract II of the Butcher Creek Annexation, consisting of approximately 0.53 acres of land more or less (“Parcel A”); and

A parcel of land generally consisting of the north-eastern portion of Lot 48-A consisting of approximately 0.40 acres of land more or less (“Parcel B”); and

Whereas, the District seeks to acquire the Acquisition Property from the Town of Telluride; and

Whereas, the District and the Town of Telluride are negotiating a contract (“Acquisition Property Purchase Contract”) providing for the purchase and sale of the Acquisition Property; and

Whereas, the District and the Town of Telluride intend that the terms and conditions of the Acquisition Property Purchase Contract would provide that the

sale and disposition of the Acquisition Property would be referred to the registered electors of the Town of Telluride by the District for approval prior to its sale and conveyance to the District.

NOW THEREFORE BE IT ORDAINED AS FOLLOWS:

Section 1. That the Town of Telluride is hereby authorized to sell, transfer and convey the Acquisition Property to the District on such reasonable terms and conditions mutually acceptable to the Town of Telluride and the District.

Section 2. The provisions of this ordinance are severable and the invalidity of any section, phrase, clause or portion of the ordinance as determined by a court of competent jurisdiction shall not affect the validity or effectiveness of the remainder of the ordinance.

Section 3. This ordinance shall become effective after the date of publication of notice of its adoption and passage by the Town Council of the Town of Telluride in a newspaper of general circulation within the Town of Telluride; or if submitted to the electorate by Town Council pursuant to Section 6.6, A.3, of the Telluride Home Rule Charter, upon the canvas of returns and publication of an abstract of election evidencing that a majority vote of registered electors of the Town have voted in an election in favor of the foregoing initiated ordinance.

TOWN OF TELLURIDE
QUESTION 201:

Shall the following Ordinance be adopted?

A CITIZEN-INITIATED ORDINANCE, AMENDING PORTIONS OF A CERTAIN PREVIOUSLY ADOPTED CITIZEN-INITIATED ORDINANCE, TO ALLOW THE TELLURIDE HOSPITAL DISTRICT OR AN AFFILIATED OR RELATED ENTITY TO SEEK AND OBTAIN AND THE TOWN TO REVIEW AND ISSUE APPROVALS AND PERMITS TO ALLOW FOR THE DESIGN, CONSTRUCTION AND OPERATION OF A RELOCATED TELLURIDE MEDICAL CENTER ON CERTAIN LAND BEING ACQUIRED BY THE TELLURIDE HOSPITAL DISTRICT, INCLUDING A PORTION OF THE PEARL PROPERTY LOCATED WEST OF BACKMAN VILLAGE, TOWN OF TELLURIDE, ON PARTS OF THE DAKOTA PLACER.

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF TELLURIDE:

Whereas, the Telluride Hospital District ("District") is a duly established Colorado special district formed in accordance with applicable Colorado Law; and

Whereas, the District generally covers a geographic area consisting of the Towns of Telluride and Mountain Village as well as those portions of San Miguel County

extending from Lizard Head Pass to the south, Dallas Divide to the north, and Placerville to the west.

Whereas, the District provides critical, high quality patient health care services and facilities to residents and guests living in or visiting within the District regardless of their ability to pay, with special attention given to family and preventative medicine, emergency and orthopedic care, high altitude medicine, sports medicine as well as the provision and operation of facilities enabling CT scans, ultrasound and laboratory services; and

Whereas, the District operates the Telluride Medical Center on land and in a building that it is subleasing through Town of Telluride from the Idarado Mining Company; and

Whereas, the District has determined that the long term needs of its patients necessitate substantial infrastructure upgrades to its physical facilities to allow the District to serve the continually increasing demands on its facilities and services generated by consistently expanding regional population growth and also to enable the District to take advantage of ever increasing advances in medical technology, which expansions and advances are restricted because of current space and site constraints; and

Whereas, the District seeks to acquire land upon which the District or an affiliated or related entity will design, develop, construct, use and operate certain structures, buildings and facilities, including, without limitation, parking in connection with an expanded and relocated Telluride Medical Center ("Relocated Telluride Medical Center") which will enable the District to maximize its ability to offer regional health care services and facilities, which the District is charged with providing; and

Whereas, the District has undertaken a thorough analysis of potential sites within the boundaries of the District that would be of a suitable size and location to accommodate the operational and logistical needs of the Relocated Telluride Medical Center; and

Whereas, the District has determined that two adjoining parcels of land owned by the Town of Telluride, would together be a preferred site, in terms of size and location, to construct of the Relocated Telluride Medical Center, namely:

A parcel of land generally consisting of a portion of the South 110' of Tract II of the Butcher Creek Annexation, consisting of approximately 0.53 acres of land more or less ("Parcel A"); and

A parcel of land generally consisting of the north-eastern portion of Lot 48-A consisting of approximately 0.40 acres of land more or less ("Parcel B"); and

Whereas, the District seeks to acquire and enable Parcel A and Parcel B to be used by the District or an affiliated or related entity to develop, construct and operate the Relocated Telluride Medical Center; and

Whereas, a prior citizen-initiated ordinance concerning land that has been commonly referred to as the “Pearl Property” was presented to the registered electors of the Town of Telluride in a Special Election held by the Town of Telluride on February 3, 1998, was approved by the voters and was captioned Town of Telluride Ordinance No. 1099, Series of 1998 (“1998 Pearl Property Ordinance”); and

Whereas, the 1998 Pearl Property Ordinance provided that “Neither the Town of Telluride, nor any of its boards or commissions, directly or indirectly, may build upon, develop, pave, or utilize for vehicular parking, the real property known as the Pearl Property, located west of Backman Village, Town of Telluride, on parts of the Dakota Placer and consisting of approximately seven (7) acres more or less.”; and

Whereas, the District and the Town of Telluride recognize that Parcel A is a portion of the “Pearl Property” and, therefore, is burdened by the restrictions and limitations established by the 1998 Pearl Property Ordinance; and

Whereas, the District and the Town of Telluride recognize that Parcel B is not burdened by or otherwise affected by the restrictions and limitations established by the 1998 Pearl Property Ordinance; and

Whereas, some or all of Parcel A is currently paved and is used for the parking and storing of vehicles and is commonly referred to as the Town RV lot; and

Whereas, consultants have recently determined that there are not any wetlands that currently exist on either Parcel A or Parcel B and there is no information suggesting that wetlands have previously existed on Parcel A, notwithstanding the association of Parcel A with the “Pearl Property” arising in connection with the 1998 Pearl Property Ordinance; and

Whereas, the development, construction and operation of the Relocated Telluride Medical Center would be reviewed in accordance with the applicable provisions of the Telluride Land Use Code, Telluride Building Code and Telluride Municipal Code, including those regulations that govern development in wetlands and wetland setbacks; and

Whereas, the design of the Relocated Telluride Medical Center would comply with the Telluride Design Guidelines and would be subject to review and action by the Telluride Historic and Architectural Review Commission; and

Whereas, the District seeks to obtain approval by the registered electors of the Town of Telluride to amend the 1998 Pearl Property Ordinance in a manner that allows the District or an affiliated or related entity to seek and obtain and the Town of Telluride, including its boards and commissions, to review and issue approvals and permits to allow for the design, construction and operation of the Relocated Telluride Medical Center on Parcel A, which is a portion of the Pearl Property located west of Backman Village, Town of Telluride, on parts of the Dakota Placer and, to the extent relevant, Parcel B, notwithstanding any limitations or restrictions contained in the 1998 Pearl Property Ordinance.

NOW THEREFORE BE IT ORDAINED AS FOLLOWS:

Section 1. The 1998 Pearl Property Ordinance is hereby modified to the extent necessary and appropriate to authorize the District or its affiliated or related entity to use Parcel A and, to the extent relevant, Parcel B to build upon, develop, pave, or utilize for vehicular parking and other improvements in connection with the development, construction and operation of the Relocated Telluride Medical Center.

Section 2. The 1998 Pearl Property Ordinance is hereby modified to the extent necessary and appropriate to authorize the Town of Telluride, including its boards and commissions, to review and act upon development applications that may be submitted by the District or its affiliated or related entity to use Parcel A and, to the extent relevant, Parcel B to build upon, develop, pave, or utilize for vehicular parking and other improvements in connection with the development, construction and operation of the Relocated Telluride Medical Center.

Section 3. The proposed development, construction and operation of the Relocated Telluride Medical Center would be reviewed by the Town in accordance with the applicable provisions of the Telluride Land Use Code, Telluride Building Code and Telluride Municipal Code, including those regulations that govern development in wetlands and wetland setbacks.

Section 4. The proposed design of the Relocated Telluride Medical Center would comply with the Telluride Design Guidelines and would be subject to review and action by the Telluride Historic and Architectural Review Commission.

Section 5. Nothing herein is intended to modify, amend or otherwise remove the restrictions and limitations contained in the 1998 Pearl Property Ordinance as the same relate to all remaining portions of the Pearl Property and all such restrictions and limitations contained in the 1998 Pearl Property Ordinance shall continue to apply to the balance of the Pearl Property, other than Parcel A and, to the extent relevant, Parcel B.

Section 6. The provisions of this ordinance are severable and the invalidity of any section, phrase, clause or portion of the ordinance as determined by a court

of competent jurisdiction shall not affect the validity or effectiveness of the remainder of the ordinance.

Section 7. This ordinance shall become effective after the date of publication of notice of its adoption and passage by the Town Council of the Town of Telluride in a newspaper of general circulation within the Town of Telluride; or if submitted to the electorate by Town Council pursuant to Section 6.6, A.3, of the Telluride Home Rule Charter, upon the canvas of returns and publication of an abstract of election evidencing that a majority vote of registered electors of the Town have voted in an election in favor of the foregoing initiated ordinance.

TOWN OF TELLURIDE
QUESTION 202:

Shall the following Ordinance be adopted?

A CITIZEN INITIATED ORDINANCE CALLING FOR THE USE OF INSTANT RUNOFF VOTING (IRV OR RANKED VOTING METHOD) TO BE IMPLEMENTED FOR THE OFFICE OF MAYOR.

BE IT ORDAINED BY THE CITIZENS of the TOWN of TELLURIDE:

WHEREAS, the State of Colorado legislature passed House Bill 08-1378 this year encouraging communities to implement Instant Runoff Voting on a trial basis and report back to the Colorado Legislature on the experience; and

WHEREAS, it is the desire of citizens in a democracy to want elections that reflect the will of the people and that more people are likely to vote if they feel that their vote matters;

WHEREAS, under current electoral process, where there are three (3) or more candidates for a single office, the electoral outcome may not accurately reflect the will of the people as voters may be inclined to vote only for the more prominent candidates thinking that their votes for others are “wasted” votes; and

WHEREAS, the current electoral process discourages potential candidates that are less popular from entering a race; and

WHEREAS, IRV allows for the process of an election to better reflect the intent of the public by (1) allowing the final vote tally to more clearly reflect the majority will of the voters and (2) allowing citizens who vote for the less popular candidate(s) to still have a voice in the vote between the more popular candidates.

WHEREAS, it is the right and duty of the citizens of the Town of Telluride (the electorate) to initiate laws and regulations by petition and vote of the electorate as set forth in the Town Charter; and

NOW THEREFORE BE IT ORDAINED THAT:

- (1) The People of the Town of Telluride hereby call for the Town Clerk of Telluride to implement Instant Runoff Voting (IRV) for the office of Mayor for the next Mayoral Election.
- (2) IRV calls for voters to rank their preferences (i.e., first, second, third, etc.) with the ballots then counted. If no single candidate receives a majority of the votes cast by all eligible voters in the first round (i.e., more votes than all other candidates combined), the lowest vote getter is eliminated. The votes are then recalculated for the remaining candidates. When there are only two candidates remaining, a majority winner can be declared. If there is a tie at any point in the process, the Town Charter rules apply.
- (3) This initiated ordinance will expire after three (3) mayoral elections unless otherwise adopted by the Town.

TOWN OF TELLURIDE
QUESTION 2C:

Shall the Telluride Home Rule Charter, in the following sections, be amended by deleting the text that is in parentheses () and adding the text that is CAPITALIZED, making insubstantial changes to clarify intent, update procedures and conform to State of Colorado Codes?

Section 2.1 Municipal Elections

Commencing in the year (2005) TWO THOUSAND NINE, regular municipal elections shall be held on the first Tuesday FOLLOWING THE FIRST MONDAY in November in odd numbered years. Any special municipal election may be called by resolution or ordinance of the Town Council at least thirty (30) days in advance of such election. The resolution or ordinance calling a special municipal election shall set forth the purpose or purposes of such election. Polling places for all municipal elections shall be open from 7:00 a.m. to 7:00 p.m. on election day.

Section 2.3 Election Precincts

(The Town shall constitute one (1) voting precinct, provided that the Town Council may, for the convenience of voters, establish precincts forty-five (45) days or more prior to any election.)

THE TOWN IS DIVIDED INTO TWO PRECINCTS FOR ALL MUNICIPAL ELECTIONS. THE BOUNDARIES OF THE PRECINCTS ARE AS FOLLOWS:

PRECINCT ONE: BEGINNING AT THE EASTERN BOUNDARY OF THE TOWN AND INCLUDING ALL OF THE AREA WITHIN THE CORPORATE LIMITS OF THE TOWN WEST TO THE WEST SIDE OF NORTH AND SOUTH TOWNSEND STREET.

PRECINCT TWO: BEGINNING AT THE WESTERN BOUNDARY OF THE TOWN AND INCLUDING ALL THE AREA EAST, WITHIN THE CORPORATE

LIMITS OF THE TOWN, TO THE EAST SIDE OF NORTH AND SOUTH TOWNSEND STREET.

The precincts so established shall remain for subsequent elections until otherwise provided by ordinance.

Section 2.5 Election Commission

An Election Commission is hereby created, consisting of (the Town Clerk and two (2)) THREE qualified and registered electors of the Town, who during their terms of office shall not be Town officers or employees or candidates or nominees for elective Town office. The (two (2)) THREE members shall be appointed by the Town Council (in May of 1978 and of every odd-numbered year thereafter,) for a term of two (2) years, and shall serve without compensation. (The Town Clerk shall be the chairperson.) COMMISSION MEMBERS SHALL SELECT A CHAIRPERSON FROM ITS MEMBERSHIP. The Election Commission shall have charge of all activities and duties required by this Charter or by ordinance or statute relating to the conduct of elections in the Town. In any case where election procedure is in doubt, the Election Commission shall prescribe the procedure to be followed.

Section 2.9 Applications for Absentee Ballots/MAIL-IN BALLOTS

ABSENTEE/MAIL-IN BALLOTS SHALL BE AVAILABLE TO REGISTERED/QUALIFIED ELECTORS FOR TOWN ELECTIONS. A WRITTEN APPLICATION FOR ABSENTEE/MAIL-IN BALLOTS IS REQUIRED. BALLOTS ARE NOT AUTOMATICALLY MAILED TO RESIDENTS EXCEPT DURING MAIL BALLOT ELECTIONS.

(Applications for absentee ballots may be requested no earlier than January 1 immediately preceding the election and must be filed no later than 5:00 p.m. on the Friday preceding the election for which the absentee ballot has been requested.)

(Section 2.11 Amendment

Any and all aspects of Sections 2.1 and 2.4 of this Charter may not be amended except by charter amendment as prescribed in Section 14.6. Any and all other parts of Article 2 of this Charter may be superseded by ordinance of the Town Council as it deems necessary.)

Section 3.2 Terms of Office

(Commencing at the regular election in 1997, t)The terms of office for (the) Councilpersons shall be four (4) years (, except that the terms of office of candidates elected at the 1998 regular election, only, shall be three years). Newly elected Councilpersons shall assume office at the first meeting of the Town Council following their election. TERMS OF NEWLY ELECTED MEMBERS SHALL COMMENCE AT THE ORGANIZATIONAL MEETING.

Section 3.4 Compensation

THE MAYOR AND Councilpersons shall receive (a monthly salary of six hundred dollars (\$600.00) and the Mayor shall receive a monthly salary of eight

hundred dollars (\$800.00). The Mayor and councilpersons shall also be permitted health insurance benefits on the same basis as regular employees of the Town.)
COMPENSATION AS MAY BE DETERMINED BY THE TOWN COUNCIL BY
ORDINANCE. (Salary and other c)Compensation for the Mayor and
Councilpersons may be increased or decreased by ordinance; provided,
however, that salary or other compensation shall not be increased or decreased
for the Mayor or any Councilperson during their term of office.

Section 3.6 Powers

The Town Council, as chief administrative body of the Town, shall ensure that Town administration is conducted in accordance with Town policy as specified by the Council. The Town Council shall hire, supervise and dismiss the Town Manager, Town Attorney (and), Town Judge, AND OTHER TOWN COUNCIL EMPLOYEES AS NEEDED.

The Town Council shall approve (, in advance,) the issuance of all Town warrants, and SHALL EXECUTE OR DELEGATE THE AUTHORITY TO EXECUTE all contracts provided for by the Town budget. The Town Council may enter into negotiations on behalf of the Town with any party for the acquisition, transfer or trade of property, services or rights not provided for by the Town budget, provided that approval of any such action shall be by vote of the Council.

Section 4.1 OrganizationAL Meeting

Within thirty (30) days following each (November) election IN WHICH COUNCILPERSONS ARE ELECTED, and before conducting any other business, the Town Council shall hold an organizational meeting, at which it will adopt rules of order AND PROCEDURE.

Section 4.5 Quorum; Adjournment of Meeting

Four (4) Councilpersons shall be a quorum for the transaction of business at all regular and special meetings, (but) in the absence of a quorum, a lesser number may (adjourn) CONTINUE any meeting to a later time or date (, and). In the absence of all Council members, the Town Clerk may (adjourn) CONTINUE any meeting for not longer than one (1) week.

Section 4.12 Ordinance Procedure

D. At the public hearing, the proposed ordinance shall be considered and read in full, or if copies thereof are available to the Council and the public, it may be read by title only. The proposed ordinance may be amended before final approval by vote of the Council. A THIRD READING OF THE ORDINANCE SHALL OCCUR, WHEN SUBSTANTIVE AMENDMENTS ARE MADE AT SECOND READING, SUBJECT TO THE REQUIREMENTS OF SECTION 4.12 C. OF THIS CHARTER.

Section 5.4 Vacancy of Mayor Pro Tem

The Mayor Pro Tem shall cease to hold that office if (removed from the Council,) S/HE DIES, BECOMES INCAPACITATED, RESIGNS, CEASES TO BE A RESIDENT OF THE TOWN or (upon)IS recalled from the office by a vote of

five (5) or more Councilpersons. When a Mayor Pro Tem vacancy occurs the Council shall elect a replacement from among its membership at the next regular meeting.

Section 7.1 Town Manager

The Town Manager shall be the chief administrative officer of the Town. The Town Council shall appoint a Town Manager within a reasonable time whenever a vacancy exists. Such appointment shall be at the pleasure of the Town Council without definite term, and shall be at (the) COMPENSATION ESTABLISHED (salary specified) by the Town (budget) COUNCIL. The Manager shall be appointed without regard to any consideration other than his or her fitness, competency, training and experience as a manager.

Section 7.2 Acting Manager

(During the absence or disability of the Town Manager, as determined by the Town Council, the Mayor may perform the duties of the Town Manager for a period of up to thirty (30) days.) Within thirty (30) days of a TOWN COUNCIL determination of absence, RESIGNATION or disability of the Town Manager, the Town Council shall appoint an acting Town Manager, to hold all powers and responsibilities of the Town Manager position.

Section 8.2 Judiciary

C. Qualifications: The Municipal Judge and all Deputy Municipal Judges shall be attorneys admitted to practice in (any state) COLORADO.

Section 9.3 Establishment

All permanent Boards and Commissions shall be created or dissolved by ordinance, which shall set forth the powers and duties delegated to such Boards and Commissions. Initial appointment by the Council to any Board or Commission shall specify the term of each individual member in order to achieve overlapping tenure. The chairperson and chairperson pro tem shall be appointed by the members of the respective Boards and Commissions. Each Board and Commission shall operate in accordance with its own rules of procedure and all Board or Commission meetings shall be open to the public EXCEPT WHEN MEETING IN AN EXECUTIVE SESSION SPECIFICALLY ALLOWED BY ORDINANCE.

Section 10.4 Budget Content

The budget shall provide a complete financial plan of all Town funds and activities for the ensuing fiscal year and, except as required by law or this Charter, shall be in such form as the Manager shall utilize (the most feasible combinations of) STANDARD MUNICIPAL expenditure classification by fund, organization unit, program, purpose or activity. It shall begin with a clear general summary of its contents, and shall be so arranged as to show comparative figures for actual and estimated income and expenditures of the preceding fiscal year. ...

Section 10.13 Independent Audit

An independent audit shall be made of all Town accounts at least annually and more frequently if deemed necessary by the Town Council. Such audit shall be made by certified public accountants selected by the Town Council. The Town Council shall select certified public accountants to perform such audit which shall be completed within (four (4)) SIX (6) months time of the close of the fiscal year. Copies of such audit shall be made available for public inspection at Town Hall.

Section 13.6 Franchise Records

The Town Council shall cause ALL FRANCHISES to be kept in the office of the Town Clerk (an indexed franchise record in which shall be transcribed copies of all franchises heretofore and hereafter granted. The index shall give the name of the grantee and any assignees. The record, a complete history of all such franchises, shall include a comprehensive and convenient reference to all actions at law affecting the same and copies of all annual reports and such other matters of information and public interest as the Town Council may from time to time require).

- ☐ YES
- ☐ NO

TOWN OF TELLURIDE

QUESTION 2D:

Shall the Telluride Home Rule Charter, in the following sections, be amended by deleting the text that is in parentheses () and adding the text that is CAPITALIZED, making changes to clarify intent and/or conform to State of Colorado Codes?

Section 2.4 Electors

A. Qualifications: A qualified elector is any person eighteen (18) years of age OR OLDER ON THE DATE OF THE NEXT ELECTION, who has resided within the Town of Telluride for thirty (30) days immediately preceding the election at which the person offers to vote. IN THE CASE OF AN ANNEXATION THAT CHANGES TOWN BOUNDARIES, ANY PERSON OTHERWISE QUALIFIED TO REGISTER TO VOTE UNDER THE PROVISIONS OF THIS SECTION WHO HAS RESIDED WITHIN THE TERRITORY ANNEXED FOR THE TIME PRESCRIBED SHALL BE DEEMED TO HAVE MET THE RESIDENCY REQUIREMENTS FOR THE PRECINCT TO WHICH THE TERRITORY WAS ANNEXED. Persons holding a permanent alien registration card may be qualified electors.

B. RULES FOR DETERMINING RESIDENCY:

1. THE FOLLOWING RULES SHALL BE USED TO DETERMINE THE RESIDENCE OF A PERSON INTENDING TO REGISTER OR TO VOTE IN ANY

PRECINCT AND SHALL BE USED BY ELECTION JUDGES IN CHALLENGE PROCEDURES:

A. I. THE RESIDENCE OF A PERSON IS THE PRINCIPAL OR PRIMARY HOME OR PLACE OF ABODE OF A PERSON. A PRINCIPAL OR PRIMARY HOME OR PLACE OF ABODE IS THAT HOME OR PLACE IN WHICH A PERSON'S HABITATION IS FIXED AND TO WHICH THAT PERSON, WHENEVER ABSENT, HAS THE PRESENT INTENTION OF RETURNING AFTER A DEPARTURE OR ABSENCE, REGARDLESS OF THE DURATION OF THE ABSENCE. A RESIDENCE IS A PERMANENT BUILDING OR PART OF A BUILDING AND MAY INCLUDE A HOUSE, CONDOMINIUM, APARTMENT, ROOM IN A HOUSE, OR MOBILE HOME. NO VACANT LOT OR BUSINESS ADDRESS SHALL BE CONSIDERED A RESIDENCE.

II. THE FIXED ADDRESS OF A QUALIFIED ELECTOR MAY INCLUDE A SHELTER, A HOMELESS SERVICE PROVIDER, OR A PRIVATE RESIDENCE, BUT IT MAY NOT INCLUDE A POST OFFICE BOX OR GENERAL DELIVERY AT A POST OFFICE.

B. IN DETERMINING WHAT IS A PRINCIPAL OR PRIMARY PLACE OF ABODE OF A PERSON, THE FOLLOWING CIRCUMSTANCES RELATING TO THE PERSON SHALL BE TAKEN INTO ACCOUNT: BUSINESS PURSUITS, EMPLOYMENT, INCOME SOURCES, RESIDENCE FOR INCOME OR OTHER TAX PURPOSES, AGE, MARITAL STATUS, RESIDENCE OF PARENTS, SPOUSE, AND CHILDREN, IF ANY, LEASEHOLDS, SITUS OF PERSONAL AND REAL PROPERTY, EXISTENCE OF ANY OTHER RESIDENCES AND THE AMOUNT OF TIME SPENT AT EACH RESIDENCE, AND MOTOR VEHICLE REGISTRATION.

C. THE RESIDENCE GIVEN FOR VOTING PURPOSES SHALL BE THE SAME AS THE RESIDENCE GIVEN FOR MOTOR VEHICLE REGISTRATION AND FOR STATE INCOME TAX PURPOSES.

D. A PERSON SHALL NOT HAVE CONSIDERED TO HAVE GAINED A RESIDENCE IN TELLURIDE WHILE RETAINING A FIXED HOME OR DOMICILE ELSEWHERE.

E. IF A PERSON MOVES TO ANOTHER STATE, COUNTY, TOWN, OR OUT-OF-TOWN PRECINCT WITH THE INTENTION OF MAKING IT A PERMANENT RESIDENCE, THAT PERSON SHALL BE CONSIDERED TO HAVE LOST TOWN OF TELLURIDE RESIDENCE AFTER THIRTY DAYS' ABSENCE FROM TELLURIDE UNLESS THE PERSON HAS EVIDENCED AN INTENT TO RETAIN RESIDENCE IN TELLURIDE BY A SELF AFFIRMATION FILED IN WRITING WITH THE TOWN CLERK.

(B)C. Registration: The Town Clerk shall register any qualified elector who appears in person at the office of the Clerk at any time when registration is permitted. However, to qualify to vote in an upcoming municipal election, electors must be registered (thirty (30)) TWENTY NINE days prior to that election. (Electors who register during the thirty (30) days immediately preceding any municipal election) A QUALIFIED ELECTOR MAY REGISTER FOLLOWING THE REGISTRATION DEADLINE FOR THE UPCOMING ELECTION BUT shall be ineligible to vote in that election. (In order to more efficiently administer this

section, the Clerk may designate other qualified persons, offices or locations for registration of Town electors, provided that such arrangements in no way abridge the rights herein guaranteed electors.)

D. EMERGENCY REGISTRATION: EMERGENCY REGISTRATION IS ALLOWED ONLY IF THE ELECTOR:

1. APPEARS IN PERSON AT THE PRIMARY OFFICE WHERE EMERGENCY REGISTRATION IS CONDUCTED; AND

2. THE ELECTOR DECLARES UNDER OATH THAT THE ELECTOR WISHES TO VOTE IN THE ELECTION FOR WHICH REGISTRATION BOOKS ARE CLOSED; AND

3. THE ELECTOR APPLIED TO REGISTER TO VOTE PRIOR TO THE CLOSE OF REGISTRATION AND CAN PROVIDE EVIDENCE OF SUCH REGISTRATION.

- ☐ YES
- ☐ NO

TOWN OF TELLURIDE

QUESTION 2E:

Shall the Telluride Home Rule Charter, in the following sections, be amended by deleting the text that is in parentheses () and adding the text that is CAPITALIZED, making changes to conform to State of Colorado Constitution?

Section 4.10 Extraordinary Majority

The passage of any ordinance authorizing or appropriating funds, creating an indebtedness, authorizing the borrowing of money or levying of tax shall require the affirmative vote of a quorum of the Council plus one (1), IN ADDITION TO ANY OTHER REQUIRED VOTER APPROVAL UNDER THIS CHARTER OR APPLICABLE REQUIREMENTS OR LIMITATIONS UNDER THE COLORADO CONSTITUTION.

Section 11.2 General Obligation Bonds

No bonds or other evidence of indebtedness payable in whole or in part from the proceeds of ad valorem taxes, or to which the full faith and credit of the Town are pledged, shall be issued until the question of their issuance shall(, at a special or regular election,) be submitted to a vote of the electors of the Town of Telluride and approved by a majority of those voting on the question IN AN ELECTION THAT IS COMPLIANT WITH THE REQUIREMENTS AND LIMITATIONS UNDER THE COLORADO CONSTITUTION. The aggregate amount of such securities shall not exceed twenty percent (20%) of the assessed valuation of the taxable property within the Town as shown by the latest assessment. NO (However, such) securities issued for creating, improving or extending any municipal utility system, including water and sewer systems and flood control systems, SHALL (may) be issued UNTIL THE QUESTION OF THEIR ISSUANCE SHALL BE SUBMITTED TO A VOTE OF THE ELECTORS

OF THE TOWN OF TELLURIDE AND APPROVED BY A MAJORITY OF THOSE VOTING ON THE QUESTION IN AN ELECTION THAT IS COMPLIANT WITH THE REQUIREMENTS AND LIMITATIONS UNDER THE COLORADO CONSTITUTION. ALL BONDS, DEBT OR SECURITIES ISSUED FOR ANY MUNICIPAL UTILITY SYSTEM, INCLUDING WATER AND SEWER SYSTEMS AND FLOOD CONTROL SYSTEMS (without an election and) shall not be included in the determination of such TWENTY PERCENT debt limitation.

Section 11.3 Revenue Bond

The Council, pursuant to ordinance and thirty (30) days' public notice, (and without an election,) may borrow money, issue bonds or otherwise extend its credit for purchasing, equipping and constructing a public utility or income-producing project, provided that the bonds or other obligations shall be made payable from the net revenues derived from the operation of such project, or from the proceeds of any revenue tax other than general ad valorem tax, levied in accordance with this Charter, so long as the full faith and credit of the Town are not pledged for the payment of such securities. Such securities shall not be deemed to be subject to any debt limitation nor to affect the Town's debt-incurring power. NO TOWN REVENUE BONDS SHALL BE ISSUED UNTIL THE QUESTION OF THEIR ISSUANCE SHALL BE SUBMITTED TO A VOTE OF THE ELECTORS OF THE TOWN OF TELLURIDE AND APPROVED BY A MAJORITY OF THOSE VOTING ON THE QUESTION IN AN ELECTION THAT IS COMPLIANT WITH THE REQUIREMENTS AND LIMITATIONS UNDER THE COLORADO CONSTITUTION.

Section 11.7 No Additional Limitations

Except as explicitly provided in this Article, OR AS SPECIFICALLY IMPOSED ON COLORADO HOME-RULE MUNICIPALITIES BY INDEPENDENT LIMITATIONS OR RESTRICTIONS UNDER THE COLORADO CONSTITUTION, there shall be no limitations on the authority of the Town Council to incur indebtedness or to issue securities.

Section 12.1 Authority to Levy Taxes

The Town Council may also levy and collect, without limitation, special assessments for local improvements as provided in this Charter. However, no tax shall hereinafter be levied until such tax has been approved by a majority of the qualified electors voting IN AN ELECTION THAT IS COMPLIANT WITH THE REQUIREMENTS AND LIMITATIONS UNDER THE COLORADO CONSTITUTION. (at a regular or special election.)

- ☐ YES
- ☐ NO